

§ 322.7

for individuals not currently authorized access to the NSA headquarters.

[40 FR 44294, Sept. 25, 1975. Redesignated at 56 FR 55631, Oct. 29, 1991, as amended at 56 FR 57803, Nov. 14, 1991]

§ 322.7 Procedures for amendment.

(a) *Request procedure.* Any request for amendment of a record or records contained in a system of records shall be in writing addressed to the Information Officer, National Security Agency, Fort George G. Meade, Md. 20755, Attention: Privacy Act Amendment, and shall contain sufficient details concerning the requested amendment, justification for the amendment, and a copy of the record(s) to be amended or sufficient identifying data concerning the affected record(s) to permit its timely retrieval. Such requests may not be used to accomplish actions for which other procedures have been established such as grievances, performance appraisal protests, etc. In such cases the requester will be advised of the appropriate procedures for such actions.

(b) *Initial determination:* The NSA Information Officer may make an initial determination concerning the requested amendment within ten working days or shall acknowledge receipt of the amendment request within that period if a determination cannot be completed. The determination shall advise the requester of action taken to make the requested amendment or inform the requester of the rejection of the request, the reason(s) for the rejection and the procedures established by the Agency for review of rejected amendment requests.

(c) *Request on appeal:* A requester may appeal the rejection by the NSA Information Officer of a request for amendment to the Executive for Staff Services. Such appeal shall be in writing, addressed to the Executive for Staff Services, National Security Agency, Fort George G. Meade, Md. 20755, Attention: Privacy Act Amendment Appeal.

§ 322.8 Appeal determination.

The Executive for Staff Services shall acknowledge receipt of the appeal within ten working days. A determination concerning the appeal shall be pro-

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vided to the requester within 30 working days, unless the Director, National Security Agency, extends the period for good cause. The Executive for Staff Services shall advise the requester of the action taken to make the requested amendment or inform the requester of the rejection of the appeal, the right to submit for incorporation in the file containing the disputed record(s) a concise statement of disagreement, and notify the requester of the right of judicial review of the denial pursuant to subsection (g)(1)(A) of 5 U.S.C. 552a.

§ 322.9 Fees.

A fee may be charged for the reproduction of copies of any requested records, provided one copy is made available without charge where access is limited to mail service only. Fees shall be charged in accordance with The Uniform Schedule of Fees established by the Department of Defense pursuant to Pub. L. 93-502.

§ 322.10 Specific exemptions.

(a)(1) The following National Security Agency systems of records, published in the FEDERAL REGISTER, are specifically exempted from the provisions of 5 U.S.C. 552a, subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) pursuant to subsection (k) of section 552a to the extent that each system contains individual records or files within the category or categories provided by subsection (k). Notice is hereby given that individual records and files within each NSA system of records may be subject to specific provisions of Pub. L. 86-36, Pub. L. 88-290 and Title 18 U.S.C. 798 and other laws limiting access to certain types of information or application of laws to certain categories of information.

(2) In addition, those records maintained pursuant to notice of systems of records published by the CSC are exempted pursuant to Title 5 U.S.C. 552a(k)(1) to the extent that they contain classified information in order to protect such information from unauthorized disclosure. Such records may also be subject to other specific exemptions pursuant to rules promulgated by the CSC.

(b) Systems of records subject to specific exemptions: